

ORIGINAL

To: T.MASSEY (EPA9374)
From: T.MASSEY (EPA9374) Posted: Tue 14-Jan-86 9:04 EST Sys 63 (70)
Subject: SHAFFER POLREP 94

CERCLA IMMEDIATE REMOVAL PROJECT
SHAFFER EQUIPMENT SITE
MINDEN, W.VA.



SEMS DocID

2261414

ATTN: TIM FIELDS AND TOM MASSEY

POLREP 94

I) SITUATION: (1700 HRS., 1/11/86)

A) OSC, TAT, EPA-III PUBLIC AFFAIRS (RAY GERMAN) ATTENDED A MEETING WITH THE LOCAL CITIZEN'S GROUP, CITIZEN'S TO SAVE THE PLATEAU. MEETING LASTED APPROX. 8 HOURS. COMPLETE OSC FILE WAS MADE AVAILABLE AND WAS COPIED BY GROUP UNDER FOIA. OSC ANSWERED TECHNICAL QUESTIONS REGARDING DATA, SITE HISTORY, PCB REGS., OTHER PCB CLEANUPS, AND EPA SOP FOR REFERRING INFO TO HEALTH OFFICIALS. TWO TV STATIONS AT MEETING. INTERVIEWS FAVORABLE

B) DR. ANJAB, A PRIVATE PHYSICIAN, HAS OPENED A CANCER TREATMENT CENTER IN NEARBY OAK HILL. AFTER BEING SHOWN THE RESULTS OF AN UNOFFICIAL HEALTH SURVEY DONE BY THE GROUP, HE IS CONVINCED THAT THERE IS AN UNUSUALLY HIGH CANCER RATE IN MINDEN AND THAT IT IS PROBABLY DUE TO SOME ENVIRONMENTAL AGENT. OSC DISCUSSED THIS WITH DR. ANJAB WHO HAS OVER 9 YEARS OF EXPERIENCE TREATING AND RESEARCHING CANCERS. DR. ANJAB HAS PROPOSED THE FOLLOWING:

- PERFORM A HEALTH SURVEY DOOR TO DOOR (HISTORIES ETC.)
- SCREEN LIKELY INDIVIDUALS FOR PCB IN THEIR BLOOD
- PERFORM PCB FAT TISSUE ANALYSIS ON PATIENTS WITH CANCER LIVING IN MINDEN.

THE OSC EXPLAINED TO DR. ANJAB THAT EPA IS NOT A HEALTH AGENCY AND THAT BOTH CDC AND STATE HEALTH BELIEVE THAT NO HEALTH SURVEY IS NEEDED. DR. ANJAB IS AWARE OF THIS AND DISAGREES. HE BELIEVES THAT BY GATHERING THE ABOVE DATA THAT HE WILL CONVINCE HEALTH OFFICIALS THAT THERE IS A NEED FOR THEIR INVOLVEMENT. HE ALSO BELIEVES THAT THE SHAFFER SITE IS NOT THE PRIMARY CAUSE BUT MAY BE A CONTRIBUTING FACTOR.

THE OSC OFFERED ANY AND ALL DATA AND INFORMED THE GROUP THAT IF ANY EVIDENCE EXISTS FOR A NEED FOR FURTHER ENVIRONMENTAL SAMPLING THAT EPA WOULD CONSIDER IT.

C) THE OSC AND OPA WERE PLEASED WITH THE RESULTS OF THIS MEETING SINCE THE CITIZEN'S GROUP IS NOW TURNING THEIR ATTENTIONS TO HEALTH ISSUES AND IS NO LONGER CRITICIZING EPA. IN FACT, WHEN ASKED, THEY BELIEVE THAT EPA HAS DONE A THOROUGH JOB WHEN IT COMES TO THE UTILIZATION OF CERCLA AND PROTECTING PUBLIC HEALTH. HOWEVER, THEY STILL WANT THE PCB REMOVED BEFORE SPRING.

ORIGINAL

To: T.MASSEY (EPA9374)
From: T.MASSEY (EPA9374) Posted: Tue 11-Feb-86 10:32 EST Sys 63 (37)
Subject: SHAFFER POLREP 95

CERCLA IMMEDIATE REMOVAL PROJECT
SHAFFER EQUIPMENT CO. SITE
MINDEN, W.VA.

ATTN: TIM FIELDS AND TOM MASSEY

POLREP 95

SITUATION:(0900 HRS.,2/11/86)

A. THE OSC HAS CAREFULLY REVIEWED AND CORRELATED THE VOLUMINOUS ERCS INVOICES FROM THIS SITE. IN LIGHT OF THE ONGOING RENEGOTIATIONS WITH OHM, THE COSTS ASSOCIATED WITH THE WORK PERFORMED BETWEEN SEPTEMBER AND NOVEMBER OF 1985 ARE A PART OF THESE NEGOTIATIONS. CONTRACTS AND OHM ARE WORKING TOWARDS A FINAL AGREEMENT WHICH WILL PROBABLY ENCOMPASS THESE COSTS BY INCLUDING THEM IN EITHER A COST SHARE OR COST CAP AGREEMENT.

THE OSC IS HESITANT TO CERTIFY THESE INVOICES SINCE THE BOTTOM LINE IS THAT DESPITE ALL EFFORTS BY BOTH EPA AND THE CONTRACTOR THE TREATMENT SYSTEM NEVER PERFORMED AS TO CONTRACT SPECS. DISCUSSIONS WITH THE CONTRACT OFFICER LED TO A COMPROMISE POSITION WHERE BY COVER MEMO THE OSC CERTIFIES THAT THE WORK REPRESENTED BY THESE INVOICES WAS PERFORMED AND MONITORED BY EPA BUT ANY COSTS ASSOCIATED WITH THE TREATMENT SYSTEM ARE IN QUESTION SINCE IT DID NOT PERFORM PER SPECS.

B. ACTIVE RENEGOTIATIONS ARE ONGOING WHEREBY OHM WILL COMMIT TO FINISH THE JOB UTILIZING A COMBINATION OF BOTH THE TREATMENT SYSTEM(IMPROVED) AND LANDFILLING. OSC AWAITING OHM FINAL TECHNICAL PROPOSAL.

C. THE OSC AS DESCRIBED PREVIOUSLY FORWARDED ALL ERCS INVOICES TO RTP THIS DATE WITH ATTACHED CERTIFYING COVER MEMO.

ROBERT E. CARON
ON-SCENE COORDINATOR
USEPA-III
PHILADELPHIA, PA.

REASONABLE BUDGET CONSISTENT WITH THE PROGRAM INITIATIVES OHM BELIEVES THAT CONTRACTS ATTEMPTS AT RENEGOTIATION UP TO THIS POINT HAVE BEEN UNREASONABLE SINCE CONTRACTS WILL NOT ALLOW FOR TIME FOR OHM TO PUT TOGETHER A REASONABLE PROPOSAL WHICH WILL ALLOW FOR REMOVAL COMPLETION AND STILL PROTECT BOTH OHM'S AND THE GOVERNMENT'S INTEREST.

THE OSC REQUESTED A COPY OF THIS LETTER.

THE OSC HAS MIXED OPINIONS REGARDING THE APPARENT DISCREPANCIES BETWEEN WHAT OHM HAS STATED AND CONTRACTS HAS STATED. OHM GIVES THE APPEARANCE THAT THEY ARE WILLING TO CONTINUE RENEGOTIATIONS IN A FAVORABLE LIGHT.

D) SINCE OSC'S DO NOT PARTICIPATE IN CONTRACT NEGOTIATIONS OTHER THAN BY PROVIDING TECHNICAL INPUT TO THE CONTRACT OFFICER, THE OSC HEREBY REQUESTS THAT CONTRACTS CONTINUE AGGRESSIVE RENEGOTIATIONS WITH OHM AND ALLOW FOR THE TIME NECESSARY FOR OHM TO SUBMIT A PROPOSAL WHICH THE PROGRAM CAN REVIEW, SINCE OHM HAS CONTACTED AND INFORMED THE OSC OF THEIR APPARENT WILLINGNESS TO ENTER INTO A FAIR AGREEMENT. REMOBILIZATION ONSITE WOULD BE UNFEASIBLE UNTIL SPRING AND SHOULD ALLOW FOR THE TIME NECESSARY.

E) THE OSC BY THIS POLREP INFORMS HQERD OF THESE CONTRACTING PROBLEMS AND DEFICIENCIES SINCE IT APPEARS THAT THE ERCS CONTRACT IS NOT FUNCTIONAL FOR THE UTILIZATION OF NEW TECHNOLOGIES CONSISTENT WITH PRESENT CERCLA POLICIES.

ROBERT E. CARON
ON-SCENE COORDINATOR
USEPA-III
PHILADELPHIA, PA.

SPECIAL BULLETIN
SHAFFER EQUIPMENT SITE
CERCLA IMMEDIATE REMOVAL
MINDEN, W. VA.

ATTN:TIM FIELDS AND TOM MASSEY

1) SITUATION: (1600 HRS., 2/15/86)

A) OSC CONTACTED CONTRACTING OFFICER, PAT FLYNNE, BY TELECON THIS DATE. CONTRACTING OFFICER INFORMED OSC THAT IT APPEARS THAT OHM IS RESPONDING TO CONTRACTS RENEGOTIATION EFFORTS UNFAVORABLY, INDICATING THAT COST SHARING ETC. OPTIONS BEING PURSUED WILL NOT BE CONSIDERED BY OHM. OSC INFORMED CONTRACTS THAT THIS IS ABSOLUTELY CONTRARY TO DISCUSSIONS HELD ON-SCENE WHERE OHM UPPER MANAGEMENT EXPRESSED A WILLINGNESS TO DO COST SHARING AND CAPPING SINCE THEIR PERFORMANCE WAS NOT UP TO CONTRACT SPECS. CONTRACTS IS UNDER THE IMPRESSION THAT OHM HAS CLOSED THE DOOR ON SUCH DISCUSSIONS AND THAT UNDER THE ERCS CONTRACT MECHANISM THEY ARE UNDER NO OBLIGATION TO ENTER INTO RENEGOTIATION. OSC FINDS THIS COMPLETELY UNACCEPTABLE. APPARENTLY THERE IS NO MECHANISM UNDER THIS EXISTING CONTRACT TO ALLOW FOR RENEGOTIATION AND OR CORRECTIVE ACTION TO ENABLE WORK TO CONTINUE UNDER THE EXISTING BUDGET UNLESS THE CONTRACTOR IS WILLING TO DO SO. THE BOTTOM LINE IS, THAT IN SPITE OF POOR PERFORMANCE AND LACK OF PERFORMANCE, THERE IS NO MECHANISM TO TAKE CORRECTIVE OR CURE ACTIONS OTHER THAN TERMINATION AND/OR ADDITIONAL EXPENSE TO THE GOVERNMENT BY USING CURE NOTICES.

B) OSC DISCUSSED THIS SITUATION WITH ERT, ANDY ZOWNIR WHO INFORMED OSC THAT SIMILAR SITUATIONS EXIST IN OTHER REGIONS WHERE THIS CONTRACT WAS USED TO ENABLE THE ACCESS TO INNOVATIVE ONSITE TREATMENT TECHNOLOGIES WHERE THE CONTRACTOR DID NOT PERFORM AND THE COMPLETE FINANCIAL RISK LIES WITH THE GOVERNMENT. THIS IS COMPLETELY UNACCEPTABLE. OSC AND ERT PLAN TO MEET WEEK OF 2/24 TO DRAFT AN INTERIM OSC REPORT WHICH WILL RECOMMEND THAT CONTRACTS SEEK THE USE OF OTHER CONTRACT MECHANISMS TO ALLOW THE PROGRAM TO ACCESS NEW TECHNOLOGIES WITH A MORE REASONABLE FINANCIAL RISK SITUATION.

C) OSC WAS CONTACTED BY OHM BOB OHNECK WHO INFORMED OSC THAT OHM HAS STATED AND WILL STATE IN A LETTER REQUESTED BY CONTRACTS THE FOLLOWING:

- OHM IS WIDE OPEN FOR DISCUSSIONS WHICH CAN INCLUDE COST SHARING AND CAPPING.
- OHM IS COMMITTED TO COMPLETING REMOVAL ACTIONS AT THIS SITE.
- OHM REQUESTS TIME (30-60 DAYS) TO PREPARE PROPOSALS WHICH THEY BELIEVE WILL SATISFY THE GOVERNMENT AND ACHIEVE REMOVAL COMPLETION.
- OHM ALSO RECOMMENDS ANOTHER CONTRACT MECHANISM TO AVOID THESE TYPES OF PROBLEMS WHICH LEAD TO MISCONCEPTIONS AND FINGER POINTING.
- OHM IS WILLING TO BEGIN DISCUSSIONS AT ANY TIME.
- OHM APPRECIATES THE OPPORTUNITY TO USE NEW TECHNOLOGIES IN THE FIELD AND WILL PROBABLY PROPOSE A SUCCESSFUL DEMONSTRATION OF THE TECHNOLOGY FOLLOWED BY LANDFILLING IN ORDER TO AVOID A

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D) OHM HAS SUBMITTED THEIR PROPOSAL FOR COMPLETING WORK AT THE SITE TO BOTH THE CONTRACTING OFFICER AND THE OSC. THEY PROPOSE TO MOBILIZE WITHIN 90 DAYS AND ARE PREPARED TO NEGOTIATE 5 OPTIONS WHICH INCLUDE THE COST CAP SCENARIO, AND AT LEAST A 50% USE OF THE NEW IMPROVED TREATMENT PROCESS. FURTHER INFO CAN BE OBTAINED BY CONTACTING THE OSC.

E) OSC MAINTAINING 24 HOUR SECURITY AND BIWEEKLY INSPECTION BY TAT UNTIL REMOB.

F) OSC UPDATING WDNR, STATE HEALTH AND COUNTY MONTHLY BY POLREP.

ROBERT E. CARON
ON-SCENE COORDINATOR
USEPA-III
PHILADELPHIA, PA.

ORIGINAL

To: ERD/OERR (EPA5511)
To: RRC (EPA9374)
From: RRC (EPA9374) Delivered: Wed 20-Dec-89 9:39 EST Sys 163
Subject: shaffer equipment site update/polrep 188
Mail Id: IPM-163-891220-086910760

POLREP #188

SHAFFER EQUIPMENT SITE
MINDEN, FAYETTE CO., WV.

ATTN: TIM FIELDS, CHARLIE KLEEMAN AND GREGG CRYSTALL

I. SITUATION (1500 HRS, 12/20/89)

A. FINAL REQUEST FOR ADDITIONAL FUNDING WAS APPROVED BY REGIONAL CONCURRENCE ON NOVEMBER 17, 1989 AND IS IN FINAL STAGE OF HEADQUARTERS CONCURRENCE.

B. PROPOSED ACTIONS AS STATED IN THE REQUEST FOR REMOVAL ACTION DATED JUNE 21, 1989 ARE COMPLETE. ALL WASTES HAVE BEEN TAKEN OFFSITE TO DISPOSAL AS OF 8/23/89.

C. WV HEALTH DEPT. PETITIONED ATSDR TO PERFORM A HEALTH SURVEY IN THE VICINITY AROUND THE SITE.

II. ACTIONS TAKEN

A. ON 8/24/89, OSC WAS INFORMED BY ERCS THAT THE WASTE SOIL WAS NEARLY REJECTED BY DISPOSAL FACILITY DUE TO WATER CONTENT. THE SOIL WAS TAKEN AS OFF-SPEC FOR \$600.00 ADDITIONAL FEE.

III. FUTURE PLANS

A. SITE REMAINS UNDER CONSIDERATION FOR HEALTH SURVEY BY ATSDR.

B. NO FUTURE ACTIONS ARE ANTICIPATED BY THE OSC FOR THIS SITE.

C. A FINAL POLREP WILL BE ISSUED UPON APPROVAL OF FUNDING REQUEST BY HQ CONCURRENCE.

PHILIP C. YOUNIS, OSC
PAULA J. CURTIN, FAS
US-EPA - REGION III
PHILADELPHIA, PA.

To: RRC (EPA9374)
 From: RRC (EPA9374) Delivered: Tue 23-Jan-90 15:53 EST Sys 163
 Subject: SHAFFER EQUIPMENT POLREP 189 AND FINAL
 Mail Id: IPM-163-900123-142990624

POLREP #189 AND FINAL

SHAFFER EQUIPMENT SITE

MINDEN, FAYETTE CO., WV.

ATTN: TIM FIELDS, CHARLIE KLEEMAN AND GREGG CRYSTALL

I. SITUATION (1600 HRS, 1/22/90)

- A. FINAL REQUEST FOR ADDITIONAL FUNDING IN THE AMOUNT OF \$65,620 WAS APPROVED BY HEADQUARTERS CONCURRENCE ON JANUARY 16, 1990.
- B. ALL PROPOSED ACTIONS AS STATED IN THE REQUEST FOR REMOVAL ACTION DATED JUNE 21, 1989 HAVE BEEN COMPLETED. ALL WASTES HAVE BEEN TAKEN OFFSITE TO DISPOSAL AS OF 8/23/89.
- C. WV HEALTH DEPT. PETITIONED ATSDR TO PERFORM A HEALTH SURVEY IN THE VICINITY AROUND THE SITE.

D. ESTIMATED COSTS TO DATE: (COB 1/22/90)

	APPROX. COST TO DATE	APPROX. CEILING
EPA (DIR)	\$ 55,000	\$ 57,149
(INDIR)	85,000	90,001
USCG	65,329	65,329
TAT	105,000	110,506
ERCS (O.H.M.)	3,860,000	3,863,965
ERCS (E.H.R.T.)	120,000	123,750
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	\$ 4,290,329	\$ 4,310,700

II. ACTIONS TAKEN

- A. CEILING INCREASE FOR \$65,620 FOR THIS SITE WAS APPROVED BY HQ CONCURRENCE ON TUESDAY, 1/16/90.

III. FUTURE PLANS

- A. SITE REMAINS UNDER CONSIDERATION FOR HEALTH SURVEY BY ATSDR.
- B. NO FUTURE REMOVAL SECTION ACTIONS ARE ANTICIPATED BY THE OSC FOR THIS SITE.
- C. PRE-REMEDIAL/REMEDIAL WILL REVIEW THE SITE FOR POTENTIAL LONG TERM REMEDIATION ACTIVITIES.

 PHILIP C. YOUNIS, OSC
 PAULA J. CURTIN, FAS
 US-EPA - REGION III
 PHILADELPHIA, PA.

To: ERD/OERR (EPA5511)
To: OPA/REG.III (EPA9315)
To: C.KLEEMAN (EPA9340)
To: EPA9373
From: R.CARON (EPA93030) Delivered: Fri 25-
May-90 14:20 EDT Sys 163 (79) Subject: SHAFFER
POLREP 190
Mail Id: IPM-163-900525-129040652

POLREP #190

SHAFFER EQUIPMENT SITE

MINDEN, FAYETTE CO., WV.

ATTN: CHARLIE KLEEMAN, GREGG CRYSTALL AND HANS-
CRUMP WIESNER

I. SITUATION (1600 HRS, 5/24/90)

A. THE SHAFFER EQUIPMENT SITE AND ADJACENT AREAS
ARE CURRENTLY UNDERGOING AN ATSDR HEALTH
SURVEY AND REMEDIAL INVESTIGATION. ON MARCH
20 AND 21, 1990, NUS/FIT CONDUCTED MULTIMEDIA
SAMPLING AT THE SITE AT THE REQUEST OF REGION
III EPA AND ATSDR. SAMPLING WAS CONDUCTED IN
RESPONSE TO POLITICAL ASPECTS ASSOCIATED WITH THE SITE,
TO OBTAIN DATA ON THE PROBABILITY OF THE
PRESENCE OF DIOXINS AND OBTAIN ADDITIONAL DATA
FOR ATSDR'S HEALTH SURVEY. LAB DATA OBTAINED
FROM THE INVESTIGATION THROUGH CLP INDICATED
FIVE AREAS ON SITE WHERE PCB AROCHLOR 1260
CONCENTRATIONS EXCEEDED THE ACTION LEVEL OF
50 PPM.

B. NUS/FIT DATA INITIALLY INDICATED ELEVATED
MERCURY CONCENTRATIONS IN THE OAK HILL WATER
SUPPLY. HOWEVER, THE DATA WAS DEEMED INVALID
UPON NUS' QA/QC REVIEW. ADDITIONAL SAMPLING OF
THE WATER SUPPLY BY TAT ON 5/8/90 WITH 24 HR
TURNAROUND ANALYSIS, VERIFIED NO MERCURY
CONCENTRATIONS ABOVE THE MDL WERE PRESENT. C. AS
DIRECTED BY OSC BOB CARON, TAT MOBILIZED TO
THE SITE 5/22/90 TO OBTAIN SAMPLES FROM THE FIVE
NUS/FIT SAMPLE LOCATIONS WHICH EXCEEDED 50
PPM. IN ADDITION, TAT WAS TASKED TO OBTAIN UP
TO TEN ADDITIONAL RANDOM SAMPLES FOR PCB
ANALYSIS.

D. SIXTEEN SAMPLES OBTAINED. UNDERGOING PCB
ANALYSIS AT LABORATORY RESOURCES, INC., EAST
BRUNSWICK, NJ. D. PERSONNEL ON-SCENE: TAT-2,
NUS/FIT-2, MEDIA-2, OTHER-2 E. WEATHER:
OVERCAST, RAIN, HIGH TEMP. 62.

F. MEDIA ATTENTION MODERATE.

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II. ACTIONS TAKEN

A. OSC CARON TASKED TAT WITH DEVELOPING SAMPLING PLAN AND IMPLEMENTING SAMPLING AT THE SITE. OSC REQUESTED TAT COORDINATE WITH NUS/FIT TO DETERMINE SAMPLING LOCATIONS.

B. CONTACTED PROPERTY OWNER ANNA SHAFFER AND WAS GRANTED PERMISSION TO ACCESS THE PROPERTY.

D. 0845 HOURS, 5/22/90, PERSONNEL ARRIVED ONSITE AND BEGAN TO LOCATE SAMPLING POSITIONS. CHANNEL 4 NEWS ARRIVED ONSITE AT THIS TIME AND BEGAN TAKING FOOTAGE OF PERSONNEL. TAT REFERRED ALL MEDIA QUESTIONS TO OSC CARON IN PHILADELPHIA.

E. NUS/FIT VERIFIED THE FIVE AREAS OF CONCERN BY USE OF PHOTOS, TAPE MEASURE AND BEARINGS. IN ADDITION, RANDOM SAMPLE LOCATIONS WERE DETERMINED AND MARKED. F. SAMPLING OPERATIONS WERE DELAYED DUE TO RAIN UNTIL 1130 HOURS WHEN RAIN ABATED.

G. TAT OBTAINED A TOTAL OF 16 SOIL SAMPLES AS FOLLOWS: SEVEN SAMPLES (INCL. TWO DUPLICATES) FROM THE FIVE NUS/FIT "HOT SPOT" AREAS; FOUR SAMPLES FROM NUS/FIT LOCATIONS APPROACHING 50 PPM PCB; FOUR SAMPLES FROM BIASED RANDOM LOCATIONS; AND ONE BACKGROUND. H. TAT DEPARTED SITE 1400 HOURS, 5/22/90.

I. ALL SAMPLES WERE PROPERLY LABELED AND PACKAGED WITH SIGNED CHAIN-OF-CUSTODY AND SENT TO LABORATORY RESOURCES, INC ON 5/23/90 FOR METHOD 8080 TEST ANALYSIS.

III. FUTURE PLANS

A. VERBAL LABORATORY RESULTS ARE ANTICIPATED FRIDAY, 6/1/90. RECEIPT OF HARDCOPY RESULTS EXPECTED WED, 6/6/90. UPON RECEIPT TAT MURPHY WILL QA/QC RESULTS. B. DATA WILL BE USED TO VALIDATE THE PRESENCE OF PCB'S IN CONCENTRATIONS WHICH MAY WARRANT REMOVAL ACTIONS AT THE SITE. SUBSEQUENTLY, THE DATA MAY BE USED TO SUPPORT IMPLEMENTATION OF A MORE DETAILED, LARGER SCALE, SAMPLING INVESTIGATION.

BOB CARON, OSC
US-EPA - REGION III
PHILADELPHIA, PA.

ORIGINAL